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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,019	08/26/2003	Robert Gazda	I-2-0353.1US	3473
24374 7590 05/21/2008 VOLPE AND KOENIG, P.C. DEPT. ICC UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103				
EXAMINER SEYE, ABDOU K				
ART UNIT 2194		PAPER NUMBER		
MAIL DATE 05/21/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/648,019

**Applicant(s)**

GAZDA ET AL.

**Examiner**

Abdou Karim Seye

**Art Unit**

2194

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 and 31-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CD/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The currently pending claims considered below are Claims 1-14 and 31-35.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 7-11,13-14 and 31-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Tavoletti et al. (US 6721949).

4. As to claims 1, 10, 31-32-33 and 34,Tavoletti teaches the invention as claimed including a method, system and product for exporting a specification and description language (SDL) software model to different operating systems, the method comprising:  
providing an SDL software model (abstract; FIG. 1, col. 2, lines 61-65; a GITV firmware including thread and message signal requests);  
providing an SDL porting layer (FIG. 1; OS abstraction layer), the SDL porting layer

converting the SDL software model to an operating environment (FIG. 1: 140) wherein the operating environment is common to all the different operating systems (FIG. 1: 142, 144 and 146 are the different OS's; col. 3, lines 1-15); and

providing a plurality of operating system abstraction layers ( FIG. 1: 120 and 130), each abstraction layer designed to abstract the operating environment to at least one targeted operating system (FIG. 1: 142 , the targeted operating system).

5. As to claim 2, Tavoletti teaches wherein the at least one targeted operating system is a single operating system (FIG. 1: 146, an OS of a terminal device).

6. As to claims 3, 11 and 35, Tavoletti teaches wherein the at least one targeted operating system is two operating systems and the method for exporting a software model in a wireless device, a first of the two operating systems is a system operating system and a second of the two operating systems is a communication operating system (col. 3, lines 37-38; wherein the satellite / wireless network connect a television device that sends and received signals).

7. As to claim 7, Tavoletti teaches, wherein the at least one target operating system is a plurality of operating systems (FIG. 1, col. 3, lines 5-10).

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8. As to claims 8 and 13, Tavoletti teaches, wherein the operating environment operates independently of processor boundaries ( FIG. 1, col. 3, lines 5-10).

9. As to claims 9 and 14, Tavoletti further teaches wherein the operating system abstraction layer defines the processor boundaries and facilitates communication across the processor boundaries (FIG. 1, col. 3, lines 1-10).

### **Claim Rejections - 35 USC § 103**

10. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-6, 12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Tavoletti et al. (US 6721949) in view of Woodruff et al (US 6757904).

12. As to claims 4-5, 12 Tavoletti teaches the invention substantially as claimed including a method, system and product for exporting a specification and description

language (SDL) software model to different operating systems as in claims 1, 10 and 34 above.

However, Tavoletti does not explicitly teach, the system operating system operates on an advanced reduced instruction set processor (RISC) and the communication operating system operates on a digital signal processor (DSP).

Whereas, in the same field of endeavor Woodruff discloses an home or business computer system coupled with a multiprocessor unit and a (DSP) operating system (FIG. 1, 4; col. 3, lines 9-12; col. 4, lines 60-67; col. 5, lines 45-67), where a home or business computer with multiprocessor, is well known in the art to use (RISC) processor).

It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Tavoletti's invention with Woodruff's invention to include in a computer system a RISC processor in communication with DSP for fast processing and presentation of steam data to computer users. One would be motivated combine these two references in order provide a more efficient communication process between operating systems (Woodruff's; col. 7, lines 29-42).

13. As to claim 6, Woodruff teaches wherein the communication module has an associated shared memory for use in performing operations of code derived from the software model (FIG. 4: 166; col. 8, lines 4-6; wherein the source is a shared memory).

### ***Response to Arguments***

14. Applicant's arguments filed on January 22, 2008 with respect to claims 1-14 and 31-35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached on Mon - Fri, 7:30am - 4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

AKS

April. 25, 2008

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195